

APPEAL NO. 021859
FILED AUGUST 29, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 6, 2002. The hearing officer resolved the sole disputed issue by deciding that the appellant's (claimant) compensable injury of _____, did not include injury to the cervical spine. The claimant appealed on sufficiency grounds, and the respondent (carrier) responded, requesting affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, did not include injury to the cervical spine. On the date of injury, the claimant sustained an injury to his left elbow and wrist. The hearing officer found suspect that the alleged cervical injury was not brought forward or mentioned in the medical records until October 4, 2000. The hearing officer also noted that two reviewing doctors did not connect the compensable injury with the alleged cervical injury.

The hearing officer is the sole judge of the weight and the credibility to be given the evidence. Section 410.165(a). The hearing officer resolved the sole disputed issue in the carrier's favor. While the claimant argued a different interpretation of the evidence, we conclude that the hearing officer's determination is supported by the evidence, and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Texas Workers' Compensation Commission Appeal No. 001360, decided July 27, 2000.

The hearing officer's decision and order are affirmed.

The official name of the carrier is **NATIONAL FIRE INSURANCE COMPANY OF HARTFORD** and the name and address of its registered agent for service of process is

**CT CORPORATION
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Thomas A. Knapp
Appeals Judge